

CALFEE, HALTER & GRISWOLD LLP

Attorney Docket No. 30887/04000

DECLARATION AND POWER OF ATTORNEY

ORIGINAL APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**EAR JEWELRY SYSTEM WITH ASSOCIATED GAUGES FOR OPTIMAL  
ADAPTATION OF THE EAR JEWELRY ON THE EAR LOBE**

the specification of which

- ☐ is attached hereto.  
☒ was filed on May 18, 2005 as United States Application No. 10/535,328.  
☒ and was amended on May 18, 2005 via preliminary amendment (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s) or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
PCT/CH03/00741	WO	11/12/2003	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1935/02	CH	11/19/2002	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplementary priority data sheet PTO/SB/02B attached hereto.

I hereby claim on information and belief the benefit of United States priority under 35 USC §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Serial Number	Filing Date	Legal Status

I hereby claim on information and belief the benefit of United States priority under 35 USC §119(e) of any United States provisional application(s) listed below:

Application Serial Number	Filing Date	Legal Status

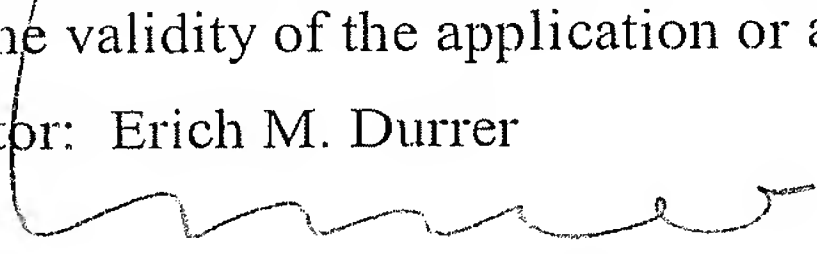
I hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

The Attorneys Associated with Customer No. 24024

Direct all telephone calls to **Brian E. Kondas** at telephone number (216) 622-8308 and faxes to (216) 241-0816.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First inventor: Erich M. Durrer

Inventor's signature: 

Date: 12.1.2008

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